DOCUMENT RESUME

ED 034 502 HE 001 253

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TITLE The President's Commission on Student Involvement in Decision-Making. A Comment.
INSTITUTION Cornell Univ., Ithaca, N.Y.
PUB DATE 29 Aug 69
NOTE 30p.

EDRS PRICE EDRS Price MF-$0.25 HC-$1.60
DESCRIPTORS *Academic Freedom, *Decision Making, Educational Environment, *Governance, Higher Education, Institutional Role, *Student Participation, Student Teacher Relationship, *University Administration
IDENTIFIERS *Cornell University

ABSTRACT

Based on the premise that intellectual liberty within a university must permeate the institution's teaching, scholarship, research, publications, relations with the outside world, internal operations and management, this comment is directed to individuals at Cornell University who do not understand the processes, restraints, and techniques that are required to preserve academic freedom. It focuses exclusively on relationships between student involvement in decision-making and intellectual liberty and suggests that before any significant change in the university is allowed to take place, the impact of such change on academic freedom should be considered. Increased student involvement in university decision-making, one such significant change that may have either beneficial or adverse effects on intellectual liberty, is discussed in the context of non-academic matters, teaching, scholarship, and research. One complete section deals with the avoidance of activities that are inconsistent with the exercise of intellectual liberty. Another presents inherent differences between students and faculty, the most important of which are considered to be age, experience, permanency of relation to the university, degree of professionalization, numbers, and the difference between being a teacher and being taught. The author was a member of the President's Commission. (WM)

ED034502

CORNELL UNIVERSITY

THE PRESIDENT'S COMMISSION ON STUDENT INVOLVEMENT IN DECISION-MAKING

Comment by Ian Macneil

August 29, 1969

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
OFFICE OF EDUCATION

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Introduction. I start from the premise that the soul--the essence--the guts--of the university are its constant engagement in free inquiry and free expression, its quest for ever elusive and tentative truths. Insistence upon intellectual liberty for all its denizens must permeate every activity: teaching, scholarship, research and publication, relations with the outside world, and internal operations and management. As Professor Hofferbert has put it:

> "Academic freedom" is no different from any American's freedom of speech and assembly, except that in the university we do it for a living. It is a full time job. It is the one defining characteristic that keeps the university from being absorbed by the rest of society. Given the manifold services performed by today's university for the society, it is diffi-

> cult to sort out its unique attributes. I would contest that it is the commitment to free and open inquiry that provides the identity of the university.[1]

I shall neither explore nor defend the ideology underlying this premise, it has too long a history of brilliant proponents to profit by more modest support. Suffice it to say that it is an ideology shared with varying degrees of enthusiasm by various members of the Commission. And, following the great community soul-searching at Cornell in late April and May, it was an ideology which appeared to some of us to be in greater danger in the American university, including Cornell, than we had realized. It was this recognition which leads to this comment. The contents of the comment, however, are my sole responsibility, and the views expressed are not intended to reflect those of other members of the Commission.

Intellectual liberty is in danger because some radicals would sacrifice it on their particular altars of alleged progress. It is in danger because some reformers deem a "little restraint of liberty" a necessary evil to achieve a social climate in which reform can take place. It is in danger because some conservatives would use corruptions of it to prevent change from the status quo. It is in danger because some reactionaries do not now and never have believed in it. But most of all it is in danger because too many people neither know what it is or that it is in danger, nor do they understand the processes, the techniques, the restraints, indeed, the courtesies, which are required to nurture and preserve it. It is to this latter group that this comment is particularly directed.

It is not primarily because of some peculiarity of student power that I raise the matter of intellectual liberty at this time. It is because, in my view, no

[1] Richard I Hofferbert, Memorandum to the Faculty Committee on Academic Freedom and Tenure, May 14, 1969.

signficant change in the university should ever be allowed to occur without prior attention to the likely impact of the change on intellectual liberty. (This is as essential--and more difficult to accomplish--with changes which creep up on us, e.g. gradually increasing reliance on government research funds, and changes which occur through doing "the same old thing" while the world around us changes, e.g. ROTC, as it is with changes more consciously or rapidly brought about.) Increased student involvement in university decision-making is no exception. One man's assessment is not enough, of course, but it can at least raise the issues, which is the purpose of the following pages.

Decision-making in non-academic matters. Decisions about housing and dining, entertainment, athletics, non-academic personnel policies, investment portfolios, buildings and grounds, etc., generally have limited impact on the fundamentals of free inquiry and expression. True, in the hands of a monolithic, well-organized and conspiratorial administration these decisions could conceivably be used to repress intellectual liberty on a significant scale. But I never expect to see a university administration, with or without student participation, which could be described by any of those three adjectives. Thus, student participation in decision-making in areas peripheral to the main academic show is unlikely to endanger intellectual liberty, whatever other good or evil it might do.

In two respects student involvement in non-academic decision-making may have a beneficial effect on academic free inquiry and expression. First, a university cannot hope long to survive in a schizophrenic state in which the utmost of intellectual freedom is enjoyed in academic affairs, while the rest of university life is managed and directed behind veils of secrecy and news manipulation. Thus, to the extent that student participation in guidance of non-academic matters tends to open up the entire social structure of the university it makes a

contribution to the basic atmosphere or free inquiry respecting all university activities, including academic.

It is difficult, if not impossible, to assess the extent to which increased student participation will tend to open up the university. It could, after all, cause university bureacracies to go underground and bury their real politik deeper than ever. But, on the whole, if student interest in such matters can be maintained--a big "if"--much that is now buried amidst the bureaucracy might become common knowledge, thereby creating an atmosphere of greater openness.

The second reason why student involvement in non-academic decision-making might have a beneficial effect on academic freedom relates to suspicion and the fact that intellectual liberty is primarily a spirit, not techniques, processes or structures. It is an enthusiasm, an absence of fear, an openness of mind, a willingness to put ones ideas to the test of publicity whatever the response. Thus, the first prerequisite to genuinely free inquiry and expression relating to any activity on a campus is a general belief in the good faith of the other members of the university community--war camps are notorious for the absence of any spirit of intellectual liberty, whether for friend or foe. That such mutual trust has been eroded at Cornell and other campuses hardly needs stating. The suspicion which has replaced it in minds of students, faculty and administrators must be restored if intellectual liberty is to prosper here.

Given present concerns about the overwhelming unsolved problems of the technological world and common student attitudes toward the adult generation that they naively hold responsible for the problems, the restoration of trust among students will not be easy. Certainly the old basis for student belief in the good faith of their teachers (and of university administrators): that adults really know what they

are doing and can do it better than the students, is much weakened. Nor is it likely to be fully restored until humanity, i.e. the adults, starts solving its problems faster than it is creating them. That time seems to be a long way off. So too, recognition that students have lost this belief and replaced it with no other basis for mutual trust makes both faculty and administrators somewhat suspicious of student bona fides.

With the weakening of the traditional hierarchical basis for mutual trust, more equalitarian bases must emerge to reinforce what is left of the traditional basis, if intellectual liberty is to be preserved on the university campus. Increased opportunities for student involvement in decision-making is thus required for the restoration of mutual trust. And, since the distrust is across-the-board, so must be the opportunity for participation, and it should therefore be available in all aspects of university life, not just the academic. It is, however, in the academic areas, to which we now turn, that restoration of the belief in community good faith is most vital.

Decision-making relating to teaching, scholarship and research. I should like to deal with increased student participation in academic decision-making under three headings: 1. Fostering the spirit of intellectual liberty; 2. Avoiding activities inconsistent with the exercise of intellectual liberty; and 3. Inherent differences between students and faculty.

1. Fostering the spirit of intellectual liberty. The presence of a handful of martyrs willing to die at the stake expressing their beliefs is no evidence that the spirit of intellectual freedom is abroad in the land. Quite the contrary, that spirit is present only when the timorous also enjoy and exercise freedom of expression. An institution serious about encouraging maximum freedom of inquiry and

expression must protect its people from those both within and without its walls who would repress versions of the truth not according with their own. It must also affirmatively nurture the spirit of academic freedom.

As Dr. Morison indicates in his report,a great many bulwarks have been erected to protect free inquiry and expression from forces without American universities. By and large these have been very successful, even in the heyday of the McCarthy era, and Cornell is happily no exception to this success story. It seems extremely likely, however, that the universities will again be put to the test as the rest of society reacts to violence on the campuses, seeks scapegoats for the failure of the Vietnam war, for increased crime, etc.

To the extent that internal politicization of campuses erodes academic freedom and the degree of social "neutrality" which goes with it the universities will be that much weaker in their ability to withstand the attacks of a neo-McCarthyism. Indeed even a widespread belief that the universities have become politicized will weaken them. Thus, to the extent that student participation in academic decision-making should lead to destruction of intellectual liberty by forces within the university it would also make the remnants of that freedom more vulnerable to outside attack. And to the extent that student participation should reinforce intellectual liberty internally it would also reinforce it against outside attack. From here on, therefore, I shall put aside memories of Joseph McCarthy and consider the impact of student participation in decision-making on on the fostering of academic freedom within the university, and its protection from forces within the university.

There are four aspects of the promotion and protection of free inquiry and free expression within the university which call for examination: A. Maintenance

of maximum diversity of views among students and faculty; B. Decentralized and individualized decision-making; C. Exercising intellectual liberty; D. Protecting intellectual liberty.

A. Maintenance of maximum diversity of views among students and faculty. The ideology of intellectual liberty is founded on the notion that no dogma ever has a monopoly on truth. It is just about impossible, however, to maintain that liberty when one dogma completely dominates the thinking of a community--the handful of dissidents questioning the dominant dogma are seen not as searchers for truth, but as social deviates richly deserving of repression. For that reason the university must affirmatively seek to maintain the greatest possible diversity of background, interests and viewpoints among those who direct or influence its academic policies. This diversity should be maintained not only in the total university community, but also as much as possible within sub-divisions of the university to avoid the creation of academic groups which are excessively homogeneous intellectually, culturally or socially.

Input of students into academic decision-making will in some ways add to the diversity of views represented, since there are and will be inherent differences of experience and outlook between students and faculty. Moreover, efforts to broaden the cultural and social bases of the university will almost inevitably start, as did COSEP for example, with student recruiting rather than with faculty recruiting. Thus the diversity of views resulting from any such broadened bases will have impact sooner if students participate in academic decision-making than if they do not.

Diversity among faculty is also likely to be increased, at least for the foreseeable future, by any increased student role in decisions relating to faculty ap-

pointments and tenure. Students are primarily concerned with faculty members as teachers, whereas in most parts of the university the faculty appears primarily concerned about their colleagues as researchers and publishers. Thus, increased student participation in faculty appointments is likely to result in a greater emphasis on teaching ability and the desire to teach than has been the case in the past. In view of the present research-publication emphasis of the modern university, any increased emphasis on teaching as a faculty qualification will very likely result in a greater diversity of outlook among the faculty. This diversity is likely to occur even in those parts of the university where teaching is the primary focus of faculty selection, because student ideas of what constitutes good teaching often differs markedly from the ideas of those on the other side of the podium. (As one who has been associated with a part of Cornell which prides itself on its focus on teaching ability in faculty selection, I greet with considerable lack of personal enthusiasm the possibility of increased student participation in faculty recruitment. I have not been overwhelmed by the astuteness of our students' assessments of teaching ability. Moreover, they have been notably, and expectedly, lacking in consideration of the overall impact of faculty recruiting on the institution. Nevertheless, I could not deny that really active student participation in faculty recruiting would probably result in an increased diversity of outlook among the faculty.)

Since student views change very rapidly, assessment of student participation in decision-making in terms of substantive views currently popular among them is undoubtedly a dangerous activity. (One does not need a very long memory to recall editorials in the Establishment press about the public apathy of the young, their self-centered devotion to getting ahead, etc.) Nevertheless, commonly held student views, even though subject to rapid change, are a factor in assessing the immediate impact of increased student decision-making. Considerable student reaction against

ever higher intellectual (?) standards for admission to the universities (in its extreme form as demands for completely open admissions policies) could have substantial impact on the diversification of university student bodies. Moreover, should there be a reversal of past trends towards increasing intellectual (and, because of the techniques used for measuring the intellect, cultural and social as well) homogeneity among students, a greater diversity among faculty is also almost sure to follow within a few university generations.

It is evident that there is a limit to the diversity of views which will foster intellectual liberty, namely the need for mutual belief in the good faith of all the members of the university community. When diversity is so great that those of one view cannot afford even that much credit to those of another, the spirit of intellectual liberty is indeed in danger. This does not mean, of course, that a "mutual trust" test is appropriate for admission to or retention in the university community. It does mean that, when a divided society creates people of viewpoints that diverse, but all of whom can nevertheless benefit from engaging full time in free inquiry and expression, the university must make serious efforts to establish community mutual trust. This, as already noted, is one of the best reasons for increased student participation in decision-making.

B. Decentralized and individualized decision-making. Diversity of personnel alone does not make for liberty. The American draft army no doubt is one of the most diversified organizations in the country in terms of intellectual, cultural and social backgrounds of its members. It is, however, hardly noted for its libertarianism, since its missions preclude decentralized and individualized decision-making except within very narrow limits. Decision-making in the university, on the other hand, is characterized by an immense amount of decentralization and individualization. Coupling of these characteristics with the diversity of views

among university people maximizes the repeated exercise of intellectual liberty within the university. Moreover, the combination eliminates many academic restraints very likely to prevail in centralized systems.

Through the sheer number of decision-making centers, decentralized decision-making in academic affairs tends to expose the community to a wide range of tentative social truths among which freedom of inquiry and expression thrive. Individualized decision-making, being the ultimate in decentralization, does the same. But individualized decision-making has a special value in addition to its role in decentralization. Individual expression can have a sharpness of focus in dealing with social matters that is lacking in group expression which tends to be blurred by social compromises--witness any committee report, especially a university committee report, on any controversial subject. The blandness of group expression is an arch-enemy of intellectual liberty.

One of the hallmarks of the university is the great autonomy of the individual teacher respecting all his professional activities, including teaching. This autonomy effects a massive decentralization of academic decision-making. Moreover, university teaching can have the sharpness of focus and expression which can be brought to it only by individual work. Careful consideration must be given to the likely impact on this individual faculty autonomy of increased student involvement in academic decision-making. It must not be permitted to take forms which will reduce <u>individual</u> faculty autonomy, unless an increase in effective <u>individual</u> student autonomy adequately offsets the loss. A generation of students wisely addicted to the concept of "doing my own thing" should be particularly distrustful of proposals which would limit the individual autonomy of anyone, including faculty members.

In his report Dr. Morison sets out various proposals relating to strengthening the students as an individual decision-maker, e.g. relieving rigidities in require-

ments, improving advisory systems, greater opportunities for independent study and research. From the standpoint of preserving intellectual liberty any increase in the opportunity and ability of the student to make decisions about his own education is certainly desirable. The autonomy of the student in such matters is his counterpart of the autonomy of the individual teacher to decide what and how to teach. Nor need there necessarily be any conflict between their respective freedoms. So long as the student is free to avoid a particular teacher he has little justification for complaining about infringement of his liberty if the teacher runs a relatively autocratic course, providing, however, that the student has some reasonable and real alternatives. One of the partial failures of Cornell on this score is in failing to provide a wide enough variety of alternatives to satisfy some of its more imaginative and individualistic students. Dr. Morison makes a number of recommendations along these lines with which I concur. But I would go further and suggest that at a university the size of Cornell a student after his freshman year ought to be able to become a kind of scholar at large and simply spend the next three years working at what interests him (inside or outside regular courses, indeed in Ithaca or elsewhere) with the assistance and advice of the faculty. Surely it is not beyond the capacity of the degree-spewing machinery of a modern university to come up with something to tell the world that a student worked three years in that manner. If the degree is one without much economic marketability that is one of the hard facts of life outside the university, and relatively few students would probably care to take the risks involved. But those who would should have the opportunity of doing so. It should be equally clear, however, that from the standpoint of intellectual liberty, those who choose to seek truth through more hierarchical means such as the traditional course structure and even through rigid requirements for particular degrees, should be free to do so if they wish. To put it another way, the demands of intellectual liberty call for the Paul Goodman approach to education to be available, but not required.

Turning from individual to group student decision-making we come to the proposal for course committees or workshops. The dangers to intellectual liberty of course committees seem to me to be very great. Were such committees to be merely new sources of ideas of which the teacher might avail himself or testing-boards off which the teacher could bounce his ideas if he wished they would do no harm and might do some good. But to the extent that they were to become genuine decision-makers they would turn what is now individualized teaching into group teaching. While this would have the benefit of increasing the variety of input, it would deprive the teaching of the sharpness of focus which only an individual can provide. My own feeling is that the loss would far offset the gain. Moreover, the danger of subtle, or perhaps even overt, censorship by such a group seems to me to be enormous. The cure for the kinds of dissatisfactions that might lead students to want effective decision-making course committees in some courses is the broadening of alternatives outside those courses, not the using of group-think decision-making.

Student participation in departmental committees or in departmental meetings, or similar participation at college or university levels, in theory would result in neither the centralization nor the collectivization of academic decision-making. But in practice it might well. A great many such bodies which are superior to individual teachers or to "lower" divisions of the university in fact never exercise the power which they theoretically have. This is true from the lowliest departmental committee right on up to the Board of Trustees. An influx of students into these bodies could well result in demands that they exercise the power which in theory they have. If these demands are acceded to inroads on individual faculty (and individual student) autonomy will occur. These inroads would lessen both the diversity and the individualization of academic decision-making so central to the preservation of intellectual liberty. This seems a very real danger--faculty mem-

bers are willing to put up with the general uselessness of many of their committees or other bodies, but will students? Faculty members do so because they are aware that every once in awhile an important group decision is made. Students, whose awareness of the long-range is, along with their tenure, more limited, are less likely to be as patient. They may well seek action in circumstances where inaction is more in harmony with free inquiry and expression. This would be especially likely if students feel thwarted in efforts to achieve student autonomy at the individual level. Nevertheless, whatever dangers may be involved call not for exclusion of students, but for their education in the often very limited real roles of the various decision-making bodies.

The Commission also considered another group-decision proposal, the creation of an experimental school to be run entirely by students. Its purpose would be to enable interested students to establish programs, to use learning techniques, to study subject areas, etc., which they thought were neglected in one way or another by the traditional parts of the university. Such a school would be very likely to deal with highly controversial matters in controversial ways, a much desired result from the standpoint of intellectual liberty. It would, however, lack some of the processes and structures aimed at preserving intellectual freedom found in more established parts ot the university, e.g. scholarly standards which tend in faculty hiring to make irrelevant the popular or unpopular political views of prospective appointees. The possibility of such a school being captured by advocates of a particular dogma would be very great. Substitute mechanisms to preserve intellectual liberty within such a school would no doubt be required, e.g. special review of appointments by a university-wide committee. But with such protections a student-run school within a university such as Cornell might contribute greatly to opportunities for students to explore the social universe from standpoints different from more traditional ones.

Another proposal considered by the Commission was the creation of a university ombudsman who would have two main functions. One would be to investigate, report and make recommendations on matters brought to his attention by any member of the university community. Secondly, as an expert on the intricacies of university administration he would serve as a guide to those who desire to make inquiries or complaints, or to process suggestions through regular channels. Implementation of this proposal would have an impact on both individual and group decision-making of students, as well as of faculty and administration. To the extent that the ombudsman could help students increase their knowledge of the university and its operation the astuteness of both individual and group decision-making would be enhanced. While the office could be abused in ways detrimental to intellectual liberty, the selection of the ombudsman by all segments of the university would limit the likelihood of abuse.

C. Exercising intellectual liberty. Freedoms atrophy when not exercised. This is perhaps especially true of intellectual freedom, since it is the spirit of intellectual liberty which is essential, and the spirit soars when many exercise their freedom and earn the plaudits of the community for doing so, even when it rejects their ideas.

The prerequisites of meaningful exercise of intellectual liberty are that the subjects of inquiry are controversial and that they are significant in the eyes of the community. They must particularly include those "truths" most generally accepted by substantial elements of society, especially by the current "Establishments" within or without the university. In the overworked current vernacular, they must be"relevant."

It may seem to many, especially at a campus like Cornell which has had its share of traumatic events, that the university does nothing but engage in seeking truth about relevant and controversial matters. But most of this engagement has been outside the classroom, outside the laboratory, outside the scholarly publication. In our major professional activities, whether as faculty or student, we deal largely with the non-controversial. This would not be out of place were there little or no controversy raging in our society, but of course there is. Moreover, the controversy, so largely omitted from our classrooms, storms about subjects which worry all of us the most the very minute we stop being economists, horticulturalists or law teachers or students and start being people: world ecology, over-population, urban crises, nuclear and lesser wars, race relations, crime, dehumanization in a mass technological society, poverty, and a host of other such subjects.

When the main show at the university quite substantially avoids what is most important to our society, as well as what is most controversial, intellectual liberty is in real danger. There is a vast need for these matters to be dealt with in scholarly ways, for faculty and students to come to see them as problems to be learned about and analyzed as are matters of less controversy, i.e. with disciplined thought and not merely emotional response. Not only is academic freedom meaningless if it is not exercised in dealing with our most acute social problems, but it will be destroyed by the non-solution of those massive problems if it is not used in their solution.

My own feeling is that probably the greatest hindrance in the university to dealing with the major social-technological problems of our day is to be found in the fragmentation of the study of knowledge among disciplines and in the departmental (or departmental-like) structures built on that fragmentation. This institutionalized

fragmentation has reinforced institutional inertia to prevent the university's dealing with many vital social matters. Most of the great social-technological problems facing the world would be described as inter-disciplinary in nature. In a departmentalized university that is essentially a word of insult, however much a handful of forward-looking teachers and students may think otherwise. After all, if the matter were really important it would have its own discipline and its own department, for to be outside a department is to be nowhere. And yet countless extremely significant social subjects (or at least whole treatments of subjects) lie between various traditional disciplines and their departments and receive the nowhere treatment. They are either not considered or considered in a fragmentary manner or with the lack of real academic discipline which tends to characterize inter-disciplinary teaching. In short, present departmental (and school) structures are ill-suited to deal with complex "whole process" social relationships or social-technological problems. Yet these are the relationships and problems upon which the whole human species seems about to founder.

A second impact of the fragmentation of knowledge along disciplinary lines (as well as a cause of it) is that much of university education is value free. Moreover, there seldom seems to be any exploration of the values underlying the disciplines themselves. How many teachers of basic economics feel it necessary to give the same intensive study of the values underlying a Keynsian-full-production economic theory that they do to the details of the workings of the theory itself? How many teachers of scientific disciplines deem it necessary or even appropriate to explore in their basic courses whether free scientific inquiry (which is their dogma) is really socially desirable? In an age when all established values are in question an education which fails to explore its own underlying values is omitting controversial and relevant matters and is thereby undermining intellectual liberty.

The question is whether and how increased student participation in academic decision-making would affect the omissions criticized above? The answers depend in part upon some inherent attributes of university students, and in part upon attitudes quite common among present generations of students. Among the former is the fact that the informal, and even some of the formal, education which students receive before coming to university simply does not create mind-sets which cause them to think in terms of our existing academic disciplines. Each student thus initially sees our disciplinary fragmentation of knowledge as something new, and perhaps even as something which has the burden of proving that it makes sense. This is, of course, in sharp contrast to most faculty members who see the present disciplines as eternally ordained--only the newer ones cause us to raise eyebrows. Moreover, the typical student undergoes more intensive extra-curricular educational experiences while at the university than does the typical faculty member. The patterns of these extra-curricular educational experiences do not correspond to the patterns of the traditional disciplines. Since the extra-curricular experiences commonly seem more "real" to the student than his curricular experiences, the former may well cause him to question the relevance of the traditional disciplines.

Students have, in varying degrees, always had the fresh approaches suggested above, and nevertheless the traditional disciplines have marched in their ordered way without enduring much student criticism. Why then might student participation in academic decision-making have some impact in freeing up the disciplinary-departmental structure? There appear to me to be two reasons. First, the disciplines themselves are more irrelevant than ever before. More and more important things seem to fall between them. Galbraith or Baran and Sweezy seem to be dealing with "the" economic problems, not Samuelson, and yet what they say does not really fit well into the economics discipline, whereas Samuelson is as comfortable as an old shoe. And what discipline deals with, or even recognizes the existence of the sub-

jects dear to Marshall McLuhan? And why do we need a new division of technology and society unless the traditional humane or scientific disciplines have failed to deal adequately with what is probably the number one problem-area for all humanity? If I am correct about the irrelevance of many disciplines, then they are more likely than ever before to arouse the criticism of people looking at them for the first time, our students. Second, student participation in decision-making is likely to lead to re-assessments of present ways of fragmentation of knowledge because it tends to leave out precisely the subjects which scare the daylights out of the younger generation and make them wonder if they may not be the last generation on earth. They will naturally tend to question such omissions in an institution purporting to prepare them for modern life.

It is true that a new student generation might emerge more content with the status quo, whatever it then is, and more willing to stay out of controversy. And should that occur student participation in academic decision-making might well no longer tend to shift academic matters in the directions of controversy and relevance. But I very much doubt if that will happen before the formal academic structure of the university has indeed become more relevant or that it will happen until society is more successful in solving its major problems. In the long meantime, greater student involvement is likely to lead to a more vigorous academic exercise of intellectual liberty in relevant and controversial matters.

D. Protecting intellectual liberty. A diverse university population enjoying mutual trust and operating under systems of individualized and decentralized academic decision-making while it is vigorously engaged in controversial and relevant exercise of intellectual liberty, has little need for institutional protections of that liberty. Equally, a homogeneous university population operating under a centralized system and regularly avoiding all controversial subjects, has little

need for institutional protection of intellectual liberty since it will seldom be exercised in any event. But no American university lies at such extremes, and institutions lying between the extremes do need institutional protections of academic freedom. They need them both to reinforce the spirit of the weak and to preserve those who would inquire and speak even when doing so means martyrdom on the stake of another dogma. At the most fundamental level--a level we have unfortunately seen tested on this campus when our President was physically prevented from speaking to a meeting--this means physical protection, both in the exercise of speech and from retribution. At the other end of the spectrum there can be no institutional protections against the smiles, sneers or rebuttals of others. In between lies the need for protecting members of the community from a wide variety of repressive techniques such as disruption of classes or other work of students or faculty, economic reprisals such as non-promotion, expulsion or exclusion of those expressing unpopular ideas, harassment of varying kinds, etc.

I find it almost impossible to guess how student participation in academic decision-making might affect these vital protections. Certainly it would tend to increase community recognition that students are as much entitled to intellectual liberty as are faculty. And student involvement in creating, for example, a strong intellectual Bill of Rights of both students and faculty would no doubt give a "legitimacy" to academic freedom which it now lacks in the eyes of some students, a legitimacy which could indeed be valuable in certain kinds of crises. On the other hand there may be generational differencesin outlook which might lead to less enthusiasm for these kinds of protections among the young than among the older. No doubt others, both faculty and students, have strong views on what we could expect from student decision-making relating to these areas. I do not.

2. Avoiding activities inconsistent with the exercise of intellectual liberty. The university engages in inquiry and expression mainly in the course of performing a variety of tasks for society. This tie-in of inquiry and expression with social tasks is bound to have some socially inhibiting effect on the freedom with which they are carried out. Thus the university in its present form can never operate in a totally uninhibited Nirvana of academic freedom. But some activities carry more inhibitions than others, for example, research which must be carried out in secrecy, teaching which is frankly (or otherwise) propaganda-without-rebuttal rather than inquiry. It is, of course, impossible to assess objectively how well the American university generally, or Cornell particularly, has succeeded in avoiding the worst pitfalls of this nature. Certainly, awareness of the problems exists, for example, Cornell does not permit secret research on the campus, the propaganda-without-rebuttal alleged to exist in ROTC is under attack, etc.

More important than the peripheral extremes, perhaps, is a kind of basic contradiction between complete intellectual liberty on the one hand, and on the other the task of supplying masses of educated students for society, largely in response to its technological demands. Inherent in so educating students is the assumption, which could surely be characterized as a dogma, that the society is sufficiently "good" so that it deserves this type of support, and not immediate revolutionary overthrow. Thus a particular, albeit very widely accepted, political dogma does underlie much of what we do at the university, even though we engage in the utmost of intellectual liberty. This anomaly, however, is unavoidable in an institution performing any social task--a university devoted to freedom of inquiry and expression while training revolutionary guerrillas (if the combination is conceivable!) would find itself with a similar conflict in exactly the opposite political direction. Moreover, a similar anomaly will exist whenever, for reasons of social policy, the university refrains from engaging in a service to society, e.g. non-secret military research.

In this sense, no matter what it does or refrains from doing, the university is necessarily a political institution, it is, in the current doggerel, "politicized."

So long as the university adheres to the principles of intellectual liberty, its politicization is, however, a limited one. Whatever the dogmas underlying the services the university renders society may be, they are subject to attack by those who hold to other truths. Moreover, if the university engages in relevant and controversial searches for truth, as advocated above, the various tentative truths which it will disseminate do not necessarily help the status quo Establishment any more than they do the revolutionary radical. If history is any guide neither Establishment nor revolutionary will like the truth as expressed after free inquiry.

Some radicals would have the university as an institution engage in political action, at least they would as soon as they can be sure that their particular dogma would govern the political action. They argue that its doing so would merely change its present political direction, that it is already engaged in political action. To the extent that the university is indeed engaged in political action rather than in the search and transmission of knowledge their argument is correct. But their argument is erroneous insofar as they equate deliberate political action with the politicization inherent in rendering any educational or research service to society. As has been seen, the politicization inherent in rendering any educational or research service to society does indeed pose some problems for intellectual liberty. But these problems are nothing compared to those which would arise if the university were to start using its educational and research capacities to carry out deliberate political action. At best, the loyalties and students and faculty at university so engaged would be divided between the external political goals set by the university's internal political processes on the one hand and their

search for social truths on the other. More likely would be the complete subordination of the search for truth to the service of the "higher truths" of the prevailing political dogma. Parties and other political institutions are not known as notable lovers of the truth.

An important question then is whether increased student involvement in decision-making will tend to increase the use of educational and research capacities in deliberate political action. Answers to this question seem just as speculative as those relating to the impact on the protections of intellectual liberty discussed earlier. There may possibly be inherent differences between faculty and students which will affect the answer (dealt with in the next section of this comment). And surely the present generation of students has a larger percentage of members who would see the university actively politicized than do the numerous generations of former students who comprise the faculty. But this might simply be a change in social attitudes (however unfortunate) which will catch up with the universities in the near future with or without student involvement in decision-making as present generations of students become faculty members. If this change of attitudes is permament student involvement will simply speed up the politicization of the university. If the change is not permanent whatever increase in politicization occurs from student involvement will be largely temporary as new generations of student reverse the process. There is, of course, always the danger that such involvement could become a foothold for converting future generations to a dogma of politicization, not by persuasion, but by use of the university power structure itself. But all of this is highly speculative, and I only suggest that the dangers be kept in mind whenever specific proposals are made for increased student involvement. The possible advantages should also be kept in mind: infusion of younger and fresher viewpoints may be very helpful in making us aware of situations where the university is indeed engaged in deliberate political action inconsistent with intellectual liberty, situations which may seem ambiguous to us, but not to those of

different political persuasions, e.g. ROTC, to take a controversial example.

Some students are asking the university to engage in greater participatory education, basicly, on-the-job education. They point out, quite correctly, that only when personal educational decisions made by students are "for keeps" do they have the greatest educational impact. Thus the purely academic study of a subject lacks a degree of educational realism which can be found by participation in the real life of the subject. These demands are related to the subject of the Commission's study not only because the quality of student decision-making is affected by participatory education, but also because it calls for greater amounts of individualized educational decision-making than does more academic education.

Participatory education is the most common form of education known, e.g. until age five or so it is all that most of us get, and it is no stranger in the university, especially in the scientific, technical and professional fields. But by and large participatory education at the university has been in non-controversial areas. The current demands are for more participatory education in major social problem areas, and therefore in areas of social and political controversy. It is therefore important to recognize that participatory education poses greater dangers to free inquiry and expression than does academic education.

By its very nature participatory education involves the student and teacher (if there is one in the traditional academic sense) in accomplishing worthwhile tasks. If it does not it is hardly worth engaging in. It is contrary to the nature of most men to be able to do this and at the same time engage in meaningful objective examinations and critiques of their own activities. In short, like deliberate political action, "involvment" especially in any controversial matter, is anathema to genuine free inquiry and expression by the participants. (As a lawyer I am acute-

ly aware of this problem, the lawyer who participates heavily in the activities of his client can seldom bring the necessary objectivity to a professional assessment of the legal consequences of those activities.)

The foregoing does not mean that participatory education, even in highly controversial areas, is improper in a university. It does mean, especially where controversy is present, that special procedures and structures are required to protect intellectual liberty. The activities must be carried out in an atmosphere permitting free inquiry by others than the participants. This is both for their protection and the protection of the liberty of others in the university who might be affected by their activities. The university must also be astute to provide participatory educational opportunities which permit the expression of differing social and political views, and especially those not enjoying a vogue of campus popularity at any given time. Students who want to work for the grape growers' organizations should have, proportional to their numbers, the same kind of university support as those wanting to gain educational experience by organizing migratory workers. It is also plain that some forms of participatory education are simply unsuited for a university desirous of preserving intellectual liberty, e.g. on-the-job training of either a CIA agent or a revolutionary guerrilla, or participation in illegal activities.

3. Inherent differences between students and faculty. Assessment of the potential impact of increased student involvement in decision-making by measuring current student social views is largely a futile task because of the volatility of student views. Moreover, even if an accurate assessment could be made, excluding students from participation because of their opinions would itself be a denial of intellectual liberty. Thus the fact that there are authoritarian student radicals who would toss intellectual liberty out the window at the first opportunity is not a proper basis

for resisting proposals for student participation. Nor is the fact that at the present junctures most students when put to the test probably would support intellectual freedom a reason for approving any particular proposal. Nevertheless, there are some differences between faculty and students of a relatively permanent nature, differences which may affect their attitudes towards intellectual liberty and especially towards the structures necessary to preserve it. To the extent that these differences can be perceived they can properly be taken into account--each generation is entitled to have its heritage of intellectual freedom protected, even from itself, until it has come of age. Some of the permanent differences which I perceive suggest the need for somewhat paternalistic structures, others suggest that greater student participation could contribute affirmatively to the preservation of intellectual liberty.

The differences which seem most important to me are age and experience, permanancy of relation to the university, degree of professionalization, numbers, and the difference between being a teacher and being taught.

The relatively greater age and experience of the faculty tend to produce a live-and-let-live attitude very felicitous to the spirit of intellectual liberty. In some contrast (of degree) every younger generation is a Now Generation, impatient of restraints on changes perceived as desirable, perhaps including restraints which may be necessary to preserve freedom of inquiry and expression. Recognition that implementing an ideal may cost too high a price in sacrifice of other social values or may be counter-productive is more common among those who have tried and failed than among those new at the game. Balanced against the great value of the experience of failure, however, the young bring fresh insights to the struggle, unobscured by the blinders of experience, and with them add to the diversity so much required by the spirit of intellectual liberty. These differences suggestion a partial division of labor within the university: relatively large student involvement where infusion

of newness is needed, e.g. curricular development, relatively dominant faculty responsibility for"preservation," e.g. insuring individual autonomy in the classroom, and rather more balance of participation in matters involving both, e.g. tenure appointment decisions.

In spite of the national education market and the consequent mobility of faculty, they generally have more permanence at the university than most students. Not only to they stay longer in fact, but generally they expect their stay to be indefinite and not terminable by an event relatively fixed in time, e.g. receipt of a B.A. at the end of four years. This difference probably tends to accentuate the characteristics and consequences of the age and experience differentials discussed above.

Faculty, unlike students, are professionals. They have all the characteristics of professionals, including standards of expertise and experience by which they measure not only would-be entrants into the profession, but also each other, discrete types of activities in which they engage in contrast to others outside their profession,and organizational structures to serve their alleged professional needs (both within and without the university), to mention a few. These professional characteristics of the faculty both favor and hinder intellectual liberty. They favor it because the primary task of the profession (and sub-professions) of University Faculty Member is searching for and transmitting knowledge. Since performance of this task calls for at least a minimum amount of freedom of inquiry and expression, the jealous protections of its interests which grow up around any profession tend, in the case of university faculty, to favor intellectual liberty. On the other hand, the rigidities and artificial distinctions between social tasks which characterize professions have, in the case of the university faculty profession and its sub-professions, tended to lead to the artificial fragmentation of knowledge

and its transmission, discussed earlier. Moreover, professionals tend to become "co-opted" by their fellow professionals and by the constituencies which the profession serves. In education this fact can have a negative impact on the freedom which a faculty member really retains to deal in complete honesty with matters which might affect his relationships with his fellow professionals and the constituencies which his particular area of teaching and research serves. Students, on the other hand, being less committed to a profession, will bring neither the advantages nor disadvantages of professionalism with them to the task of academic decision-making. Once again the patterns of these differences between faculty and students suggest the desirability of emphasizing student participation in those areas requiring infusion of fresh outlook, and of emphasizing faculty responsibility in areas where restraint is called for to protect intellectual liberty.

Students outnumber faculty, and probably always will. Simply because of their numbers their participation in decision-making often tends to change the whole nature of the process. A handful of faculty members comprising a small academic department may handle a matter most informally, with the kind of easy and free give-and-take which can occur only in simple and informal settings. The same matter must be handled far more formally if it is to be decided by the same handful of faculty and 150 students in the department at a large meeting, or even by the handful of faculty and five elected representatives of the 150 students. In such settings words must be more carefully weighed, partly because failures of communication are harder to correct, partly because feelings must be more carefully considered, partly because decisions in such settings tend to be firmer and harder to change once made, and partly because the whole "political" situation becomes infinitely more complex. The increased formality of communication almost invariably means that there is less real communication and more repression of the real thoughts of the people participating.

The negative impact on free expression of formal student input will depend upon how simple the faculty-only decisional process is to start with, and how complex the infusion of students will make it. A university senate of faculty and students would probably have at least as free communication as occurs at present university faculty meetings. On the other hand, in the departmental example given above freedom of communication is almost sure to be somewhat inhibited. These inhibitions may be more than counterbalanced by the advantages of having a new and different group in the decision-making process, but we should not fool ourselves into thinking that those advantages are achieved at no cost to free communication.

The final inherent difference between faculty and student is the difference between being a teacher and being taught. Some educators, of course, urge the elimination of the distinction, but for the foreseeable future its complete elimination in the university seems entirely unlikely. There is thus built into the university a hierarchical relationship between the learned and the learner, the intellectual disciplinarian and the intellectually disciplined. From this and other causes faculty members tend to become father-images, images which must be outgrown before the student can become free of the shackles of childhood and adolescence. Inability to escape this image can result in student resistance to it which creates distrust of faculty not in harmony with the belief in mutual good faith required by the spirit of intellectual liberty. This distrust, or other kinds of student conduct, can in turn create similar lack of trust in the good faith of students on the part of the faculty. One question relating to student involvement in the decision-making process is the impact it will have in eliminating some of these causes of mistrust while university teaching remains in large measure hierarchical. My own feeling is that it can be very beneficial on that score.

Another important aspect of the difference between being a teacher and being taught is analogous to the difference in attitudes between the oligopolistic man-

ufacturer and the consumer of his products. The former simply does not have pressures on him to make the product as good as the latter wants it to be. While the individuality of university teaching adds a pressure on the teacher of individual conscience and pride lacking in modern industry, the fact is that on the whole university faculty do not care anywhere near as much about the quality of teaching as students do. This would probably be true even without the competition for their time of research and moonlighting, but that competition often exacerbates the situation no end. Bringing the student consumer into some of the decision-making processes relating to teaching is likely to improve its quality and thereby the free flow of ideas essential to academic freedom.

Conclusion. This comment has focused exclusively on relationships between student involvement in decision-making and intellectual liberty. It has not dealt with the many other issues, e.g. the role of standards and of discipline in university education, intimately related to student decision-making. The reason for this focus is not that the other issues are unimportant, they are important,and like many other people I have some strong views about some of them. The reason is that these other issues become--by the standards of any ideology I can live by--largely irrelevant in a university which does not preserve intellectual liberty in all of its activities. In my view any proposal for increased student participation in decision-making must pass the academic freedom test before we are free to consider its other merits or demerits.

Ideologists of intellectual liberty--students, faculty, administrators and trustees--must be aware both of the dangers to that liberty of student decisional involvement and of the services which that involvement can render intellectual freedom. We must recognize that some ways of satisfying demands for "student power" are compatible with, or beneficial to, academic freedom and some are not. And finally we should be aware that some of the loudest demands for "student power" are really demands for student academic freedom--a freedom long ago demanded and secured by faculty.